

**New Hampshire Racing & Charitable Gaming Commission
Commission Meeting
September 24, 2013
13-11**

Present: Timothy J. Connors, Chairman
Anthony B. Urban, Secretary
Frederick H. Booth, Member
Dennis H. Caza, Member
Michael J. Gatsas, Member
Lynn M. Presby, Member
Paul M. Kelley, Director
Sudhir Naik, Deputy Director
Michael R. Williams, Procedures Administrator
Stephen Johnston, Supervisor-Gaming Operations
Billie Jean Arseneault, Gaming/Licensing Supervisor
Linda Glaser, Auditor
Stratos Argiras, Auditor
Amir Alic, Auditor

In Attendance: Dick Bouley, Ryan Gloddy, Ed Callahan, Jamie Timbas, Averill Cate, Jan DiMarzio, Nick Bonardi, Mike McLaughlin, and others.

The Chairman called the meeting to order at 1:30 p.m.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to approve and place on file the public minutes dated August 26, 2013.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the racing & charitable gaming statistics for the fiscal period of July 1, 2013 - August 31, 2013.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to accept and place on file the Games of Chance/Bingo/Lucky 7 warning letters/late financials spreadsheets. Deputy Director Naik noted that there was one late financial and that staff was following up on it.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to place the Games of Chance State Revenue spreadsheets on file.

Procedures Administrator Williams provided an update relative to the emergency rule request submitted to the Joint Legislative Committee on Administrative Rules, prohibiting electronic communication by Bingo callers. "JLCAR" liked the rule, but did not consider there to be "substantial fiscal harm to the state or its citizens". Therefore, the recommendation was made to rescind the request for an emergency rule and submit the rule as part of the next regular rule-making session. On a motion by Commissioner Presby, seconded by Commissioner Booth and with five affirmative votes, with Chairman Connors voting negative, to grant "JLCAR's" request to rescind the request for an emergency rule and begin the rule-making process. Chairman Connors thanked

and commended those bingo halls that have voluntarily made it a house rule not to allow electronic communication by Bingo callers on duty.

A request was received from Mr. Ambrose Pascacci, Jr. relative to an unclaimed pari-mutuel ticket. The numbers printed on the ticket “washed out” and are virtually unreadable. It is questionable as to whether Bureau of Accounts will honor the payment request. Using a magnifying glass, Commissioner Booth was able to read the numbers. On a motion by Commissioner Booth, seconded by Commissioner Gatsas and unanimously voted to submit the ticket for payment to Bureau of Accounts.

Action Item

- a. *Bingo payments in tiered games – staff to research and report back:* Director Kelley noted this was a work in progress and staff would have a report at the next Commission meeting.
- b. *Netting on house-backed games-netting language to be clarified:* Director Kelley noted this was a work in progress. Deputy Director Naik and Auditor Glaser have a meeting scheduled with Mr. Rick Newman on September 30, 2013. Deputy Director Naik and Auditor Glaser will clarify the language to be added to the monthly financial reports.
- c. *Staff to research which game operators netted incorrectly and amount of money lost by charities as a result, per request of Mr. Averill Cate:* Director Kelley noted this was a work in progress.

Tabled

1. *Statutes and rules governing Bingo and the sale of Lucky 7 tickets:* This item will remain tabled through the summer. There will be a ‘wrap-up’ meeting scheduled for early October 2013. Director Kelley noted that Senator Odell will hold a bill open to clarify bingo/lucky 7 items such as: is Saturday considered a “day of the week”etc. Commissioner Presby brought up the issue of “Family Entertainment and Redemption Slots”. Currently there is no oversight of these machines. Our agency should seek, through the legislature, authority to oversee and make rules governing these machines.
2. *Relocation of 647 request dated 08-26-2013:* Item remained tabled

Correspondence:

Summary of RCGC monthly activities for the month ended August 31, 2013 was reviewed and placed on file.

Old Business:

None.

New Business:

Commissioner Presby stated that one more Bingo workshop will be scheduled for October 04, 2013 as a wrap-up meeting. Time and location will be announced when plans are finalized. Chairman Connors thanked him for conducting the workshops. Commissioner Presby thanked all those who participated in them.

Director Kelley presented an update on the agency’s move to the Walker Building. The move will take place the last week in November, possibly the first week in December. There are 28

state agencies moving during this 2-week time frame. It was necessary to purchase 35 4-drawer file cabinets at \$20.00 each. There is a possibility that our phone system will be out of operation for a day or so. Arrangements will be made to redirect calls, possibly to Director Kelley's cell phone. WB Mason will break down and reassemble the agency workstations at a cost of approximately \$6,000. As it will take 5-6 work days for the move, complete with assembly of workstations, there may be a delay in processing licenses, monthly financial reports etc. On a motion by Commissioner Booth, seconded by Commissioner Presby and unanimously voted to send a letter to game operators advising them of the move. Director Kelley noted that this move will cut the agency's rent cost in half.

An e-mail was received from Oceanfront Gaming, Inc.; however, as the content was not deemed an emergency, the item will be included with the October agenda.

Correspondence was received from Attorney Mike McLaughlin concerning a financial matter that will be presented in the nonpublic session.

Director Kelley noted that there had been some confusion over the time change of today's meeting and that some individuals had arrived at the original, earlier time slot. The time change was made over a week prior and the change was listed on our website.

Commissioner Gatsas noted that the wagering accounts are in order.

Commissioner Urban was congratulated on his reappointment for another 3-year term.

There being no questions or comments from the audience, at 1:55 p.m. on a motion by Commissioner Urban, seconded by Commissioner Booth and by a unanimous roll call vote the Commission voted to adjourn the regular meeting and go into nonpublic session as allowed under RSA 91-A:3, II(c)

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

At 2:20 p.m., on a motion by Commissioner Booth, seconded by Commissioner Caza and by a unanimous roll call vote the Commission voted to come out of the nonpublic session and permanently seal the nonpublic minutes.

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

The next meeting is scheduled for Friday, October 25, 2013 at 11:00 a.m., in the Board of Pharmacy conference room.

The Chairman closed the public meeting at 2:21 p.m.

Respectfully Submitted,

Secretary
Anthony B. Urban